

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:12-CR-056
)	
MARQUISE ALLEN HOLLOWAY)	
and ANNISHIA MOORE)	

MEMORANDUM AND ORDER

This criminal case is before the court on the motion to continue [doc. 26] filed by defendant Marquise Allen Holloway [doc. 28]. Defendant Holloway asks for a continuance of his October 17, 2012 trial date, citing the need for additional time to meet with counsel to “discuss whether he will plead guilty or proceed to trial.” Codefendant Annishia Moore joins in the motion, and the prosecution does not object to the defendants’ request.

The court finds the motion well-taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by defendant Holloway, the court finds that the failure to grant the motion would deny defense counsel the reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The defendant’s motion requires a delay in the proceedings.

Therefore, all the time from the filing of the defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the motion to continue [doc. 26] is **GRANTED**, and this criminal trial is **CONTINUED** to Tuesday, **December 11, 2012, at 9:00 a.m.** The new plea cutoff date is November 27, 2012.

ENTER:

s/ Leon Jordan
United States District Judge